WP(C) 3376/2006

BEFORE

HON'BLE MR. JUSTICE D.BISWAS, CHIEF JUSTICE (ACTING)

HON'BLE MR. JUSTICE HRISHIKESH ROY

Heard Mr. J. Roy, learned counsel for the petitioner. Also heard Mr. G. Uzir, learned counsel for the respondent No.5. Mr. S. Samaria, learned counsel appears for the respondent GMC and Ms M. Hazarika, learned counsel appears for the GMDA.

Pursuant to the order dated 23-11-06, Mr. J. Roy, learned counsel for the petitioner has produced before this court the orders passed by the Commissioner, Guwahati Municipal Corporation, regularising compoundable deviation in respect of the building which is the subject matter of the writ proceeding.

It appears that a compromise has been arrived at amongst the family members and the neighbouring land owners and requisite no objections have been furnished by all concerned to the satisfaction of the Guwahati Municipal Corporation. On the basis of such compromise and the giving of no objection, the Commissioner, Guwahati Municipal Corporation by his order dated 9-1-07 has quantified Rs.1728/- as the penal charge for regularisation of the compoundable deviation in the northern side of the building. Thereafter, the petitioner has paid the penal charge of Rs.1728/- to the GMC on 10-1-07 and the requisite receipt showing such payment has also been produced before this court.

In view of the above, it is submitted by the counsels appearing on behalf of all the parties that no further adjudication in the present matter is necessary.

Accordingly, the writ petition is closed on the basis of the developments noted above. Necessary documents produced before this court today by the learned counsel for the petitioner shall form part of the records.